

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 96-6556**

---

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

CURTIS REID,

Defendant - Appellant.

---

Appeal from the United States District Court for the Western District of North Carolina, at Charlotte. Robert D. Potter, Senior District Judge. (CR-92-57-3-P, CA-96-82-3-P)

---

Submitted: September 24, 1996

Decided: October 9, 1996

---

Before HALL, WILKINS, and MOTZ, Circuit Judges.

---

Dismissed by unpublished per curiam opinion.

---

Cheryl Johns Sturm, West Chester, Pennsylvania, for Appellant.  
Gretchen C.F. Shappert, Assistant United States Attorney, Charlotte, North Carolina, for Appellee.

---

Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Appellant appeals from the district court's order denying his motion under 28 U.S.C. § 2255 (1994), amended by Antiterrorism and Effective Death Penalty Act of 1996, Pub. L. No. 104-132, 110 Stat. 1214. We have reviewed the record and the district court's opinion and find no reversible error. We hold that Appellant failed to establish his substantive claim that counsel was ineffective. See Strickland v. Washington, 466 U.S. 668 (1984); Fields v. Maryland, 956 F.2d 1290, 1297 (4th Cir.), cert. denied, 506 U.S. 885 (1992). Specifically, we hold that Appellant failed to show that he would necessarily have been entitled to credit for acceptance of responsibility under United States Sentencing Commission, Guidelines Manual, § 3E1.1 (Nov. 1991), even if he had pled guilty prior to trial. Accordingly, we deny a certificate of appealability and dismiss Appellant's appeal substantially on the reasoning of the district court. Reid v. United States, Nos. CR-92-57-3-P; CA-96-82-3-P (W.D.N.C. Mar. 14, 1996). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED